

**EASY READER BROCHURE
SMALL CLAIMS COURT**

What is small claims court?

The purpose of the small claims court is to resolve minor civil disputes quickly, inexpensively, and fairly, with simple rules in an informal setting. Common types of cases include car accidents, property damage, landlord/tenant rent deposit disputes, and the collection of money.

Is there a limit on the amount of a small claim?

In the state of California, small claim lawsuits may not exceed \$5,000. More than two claims exceeding \$2,500 each cannot be filed in the same calendar year. This dollar limit is re-evaluated periodically. Inquire at the civil counter regarding changes that may have occurred since this brochure was prepared.

Is there a fee for filing?

Yes. Visit the court website at www.co.kern.ca.us/courts/smallclaims.asp for current information on filing fees. The court accepts payment by cash, money order or check (with picture ID).

How long before the court hearing is scheduled?

If all parties involved live in the same county, the court will hear the lawsuit within 40 days of filing the claim. If the parties live in different counties, the waiting period can be as long as 70 days.

Does the court provide help in filing a small claim?

The Small Claims Advisor can explain the basic steps. Services are offered at no cost, on a first-come first-served basis. The Small Claims Advisor is available by telephone at (661) 868-2532, or at the public counter at 1415 Truxtun Avenue—First Floor, Bakersfield. Call for more information about the Small Claims Advisor's schedule.

What will happen at the court hearing?

The judge generally allows both sides the opportunity to review each other's evidence before the court hearing; the judge may also request that the parties make one more attempt to settle their dispute. For successful settlements, the judge confirms the conditions of settlement and enters the agreement onto the record. If the litigants cannot agree on a settlement, the judge listens to both sides of the story, reviews the evidence and asks clarifying questions. The judge usually renders a decision, or judgment, immediately. In more complicated cases, the judge may take the matter into submission and notify the parties by mail after more careful consideration of the evidence.

How much time should be expected for a court hearing?

Depending upon the number and complexity of the other cases, the court hearing may require two to four hours, possibly longer.

Is preparation helpful?

Yes. The court encourages litigants to prepare a concise statement in advance, summarizing the reason or response to the small claims action. The plaintiff (the person initiating the action) is responsible for proving the allegations. All statements must be factual, subject to verification with objective proof.

What materials will help to prove the allegations?

Bring copies of all documents necessary to prove the case, such as photos, bills, receipts, contracts, etc. Bring the original documents and two copies if possible. The judge may ask to keep a copy for a more careful review. Put the evidence together in a logical order; this will help the judge to understand the allegations.

May attorneys represent litigants in small claims cases?

No. Litigants in small claims cases represent themselves.

What happens if the defendant does not appear?

The judge generally allows the plaintiff to explain the allegations, and will make a ruling without hearing the other side.

Is night court available?

The Small Claims Court conducts one evening session per month at 1215 Truxtun Avenue, Bakersfield. The Small Claims Court Clerk schedules cases for night court upon request, and can provide more information. Night court is only available in Bakersfield at this time.

Will the court provide an interpreter?

The court does not provide interpreters for small claims cases. An adult friend who is fluent in the English language may assist; this person should be able to interpret statements made by the judge, the plaintiff and the defendant.

Bakersfield
1215 Truxtun Avenue, First Floor
(661) 868-2456 – Small Claims Information

Delano

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1122 Jefferson Street
(661) 720-5800

Lake Isabella
7046 Lake Isabella Boulevard
(760) 549-2000

Lamont
12022 Main Street
(661) 868-5800

Mojave
1775 Highway 58
(661) 824-7100

Ridgecrest
132 East Coso Street
(760) 384-5900

Shafter
325 Central Valley Highway
(661) 746-7500

Taft
311 Lincoln Street
(661) 763-8566

OTHER TELEPHONE NUMBERS

(661) 868-2532	Small Claims Advisor
(661) 868-5320	Kern County Law Library
(661) 322-2074	Better Business Bureau of Bakersfield
1-800-952-5210	California Department of Consumer Affairs, Consumer Information Center

More information is also available on these websites:

www.co.kern.ca.us/courts	Kern County Superior Court
www.kerncountylawlibrary.org	Kern County Law Library
www.cencal.bbb.org	Better Business Bureau of Bakersfield
www.courtinfo.ca.gov	Administrative Office of the Courts Self-Help Site
www.dca.ca.gov	California Department of Consumer Affairs, Consumer Information Center